

Improvement Res. No. 1380-75

*vacation of alley
area. Norfolk & Western
Railroad from spl of
Brown St.*

Resolution Adopted:

Jan. 27, 1975

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

ALL ACTION RESOLVED
3-13-75

B.O. 78-74

DECLARATORY RESOLUTION NO. 1380-75

for the vacation of the alley abutted on the east
by Lot 103 Electric Addition on the west
by the Norfolk and Western Railroad from the south
property line of Brown Street to the north property
line of the first east west alley south of Brown
Street.

ADOPTED: January 27, 1975

ADVERTISE NOTICE TO PROPERTY OWNERS: Jan. 31 & Feb. 7, 1975

NOTICES MAILED: Feb. 7, 1975

HEARING ON CONFIRMATION: Thurs. Feb. 20, 1975 at 3:30 p.m.

H on C - cont. to Thurs. Mar. 13, 1975 at 3:30 p.m.
CONFIRMED:

ASSESSMENT ROLL ORDERED:

ASSESSMENT ROLL APPROVED:

HEARING ON CONFIRMATION OF A. R.:

NOTICE SERVED:

ASSESSMENT ROLL CONFIRMED.

ALL ACTION REQUIRED

61-269-7 HI
1/27/75

DECLARATORY RESOLUTION No. 1380 1975

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of the alley abutted on the east by Lot #103, Electric Addition on the west by the Norfolk and Western Railroad from the south property line of Brown Street to the north property line of the first east-west alley south of Brown Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley abutted on the east by Lot #103, Electric Addition the west by the Norfolk and Western Railroad from the south property line of Brown Street to the north property line of the first east-west alley south of Brown Street.

All as shown by a plan of such proposed Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lot #103, Electric Addition and space known as Railroad Right of Way. Said addition and space are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

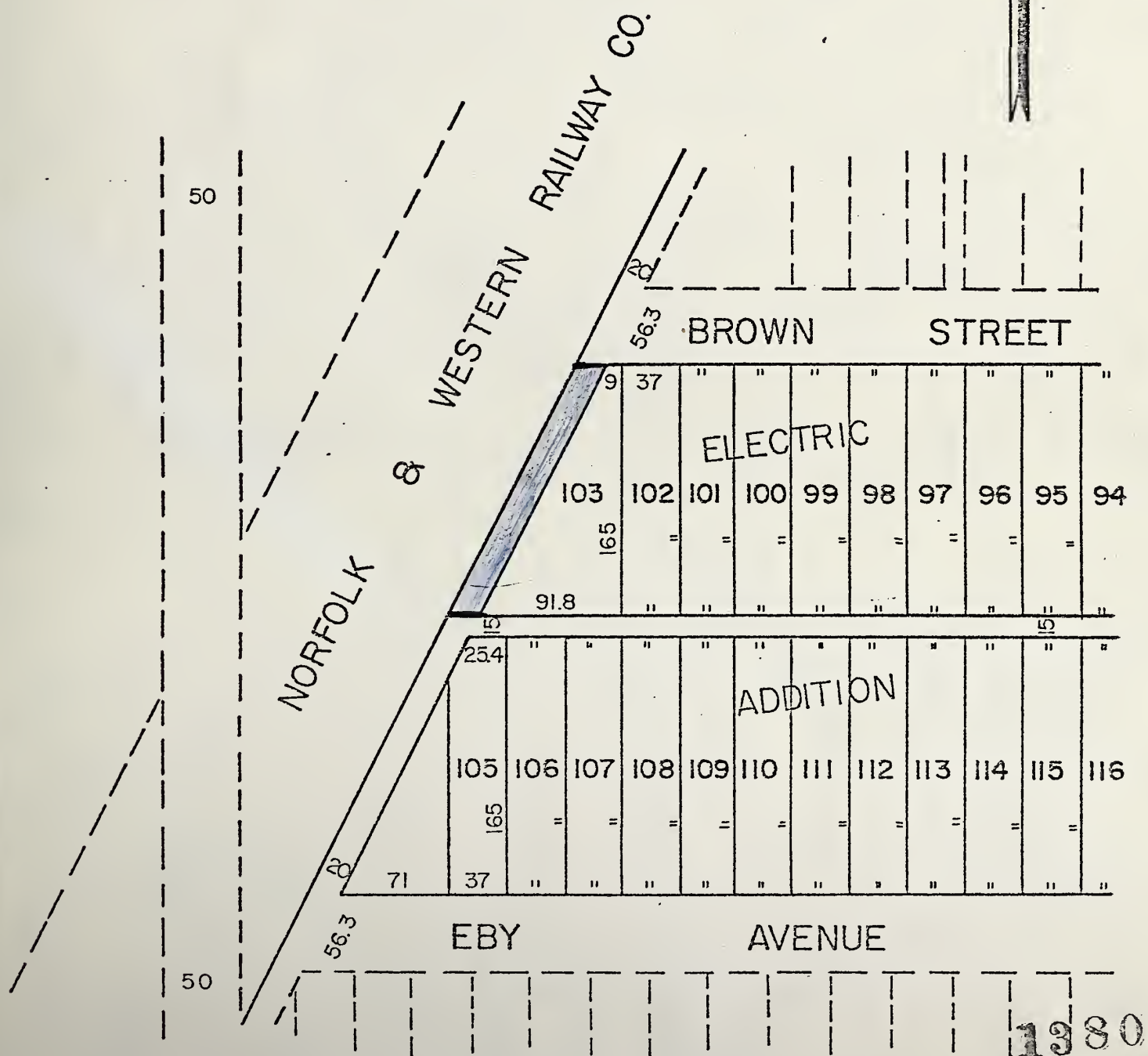
All Streets, lots and lands affected by the above described vacation are situated in the southwest quarter of Section Ten, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana

ADOPTED THIS 27 DAY OF Jan. 19 75

Attest: Edna L. Smith
Secretary Board of Public Works.

Glenn C. Cinkling
Board of Public Works.

PORTION OF ALLEY TO BE VACATED



1380

PETITION TO VACATE ALLEY

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

00078

THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The Undersigned, the Petitioners, do hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, to vacate the following described alley within the City of Fort Wayne, Allen County, Indiana, to-wit:

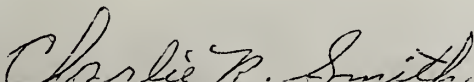
That portion of the North-south alley abutted on the east by Lot # 103 Electric Addition, on the west by the Norfolk & Western Railway (Wabash Division), extending south, from the south right-of-way of Brown Street, to the north right-of-way of the first east-west alley south of Brown Street.

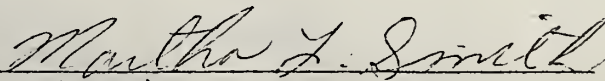
Your petitioners represent that:

1. That they are the owners of the real estate abutting on the east side of the alley herein sought to be vacated.
2. That the alley sought to be vacated has never been improved, nor is it a service alley.
3. That said alley is not necessary as ingress or egress to any other property whatsoever.
4. That said alley is used as a thoroughfare and as such is a nuisance to abutting property owners.
5. That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said alley be vacated as prayed.

Your Petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your Petitioners pray that the above described alley be vacated according to the provisions of the Indiana Law pertaining thereto.


Charlie R. Smith
2315 Brown Street
(Lot # 103 Electric Addition)


Martha Smith
2315 Brown Street
(Lot # 103 Electric Addition)

B.O. 78-74

March 13, 1975 62-14-1

KEN TRAYLOR _ STREET ENGINEERING DEPARTMENT

Dec. Res. No. 1380-1975 vacation of alley - area of Brown Street

ALL ACTION RESCINDED on subject declaratory resolution.

J. D. BOSWELL

C. E. O'NEAL

G. G. CONKLING

BOARD OF PUBLIC WORKS

ajf

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

RECEIVED: 11/10/73 11:14 AM

FROM: J. J. KOPPELBERG, JR.

TO: J. J. KOPPELBERG, JR.

RE: [illegible]

11

61-294-1,2 83
February 20, 1975

STREET ENGINEERING DEPARTMENT

Declaratory Resolutions 1377-75, 1378-1975 and 1379-1975

Subject Resolutions CONFIRMED. Please prepare Assessment Rolls of Benefits and Damages.

B.O. 128-1969	#1377-1975	- Vac. of Vermont Ave. etc.
175-1974	#1378-1975	- Vac. of Shoreworth Trail, etc.
176-1974	#1379-1975	- Vac of Rathert Lane, etc.

HEARING ON CONFIRMATION ON Dec. Res. No. 1380-1975 - continued to Thursday, March 13, 1975 at 3:30 p.m. to allow for a survey to be made.

J. D. BOSWELL
C. E. O'NEAL
G. G. CONKLING

BOARD OF PUBLIC WORKS

attachments - P.O. Lists 1377, 1378 and 1379
AJFA

NOTICE TO PROPERTY OWNER

Office Board of Public Works
City Hall
Fort Wayne, Indiana..... January 31, 1975

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No. 1380-1975..... providing for the vacation of the alley abutted on the east by Lot #103, Electric Addition on the west by the Norfolk and Western Railroad from the south property line of Brown Street to the north property line of the first east-west alley south of Brown Street.

The Board has fixed Thursday, February 20, 1975 at 3:30 p.m., Room 910, City-County Bldg. a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

LOT ELECTRIC ADDITION

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 23rd day of January, 1975, the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION NO. 1377-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Vermont Avenue from the east property line of Inwood Drive to the east line of Delta Heights Addition.

NOTE: The entire street shall revert back to Lots 167 and 168, Delta Heights Addition because it was originally appropriated from this addition.

DECLARATORY RESOLUTION NO. 1378-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Shoreworth Trail from the west property line of Penmoken Drive to the east property line of Baer Field Expressway.

DECLARATORY RESOLUTION NO. 1379-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Rathert Lane from the east property line of Dusing Avenue to its eastern terminus.

NOTE: The entire street shall revert back to Lot #6, Fernhill Place Amended Addition because it was originally appropriated from this addition.

DECLARATORY RESOLUTION NO. 1380-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley abutted on the east by Lot #103, Electric Addition the west by the Norfolk and Western Railroad from the south property line of Brown Street to the north property line of the first east-west alley south of Brown Street.

All as shown by a plan of such proposed Vacations as above described, now on file in the office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacations shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, February 20, 1975, as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

Jerry D. Boswell

Carl E. O'Neal

Glenn G. Conkling

BOARD OF PUBLIC WORKS

ATTEST: Edna I. Smith, Clerk

PUBLISH: January 31, 1975 and February 7, 1975

ep

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B. O. 78-74

Date December 26, 1974

To KEN TRAYLOR - STREET ENGINEER

Subject VACATION - N/S Alley between Brown and 1st alley south of Brown

Pursuant to recommendation of Ron Bonar, this will authorize preparation of plan, property ownership list and Declaratory Resolution on above project.

Since no specific plans for future transportation corridor have been established, the Vacation is recommended as approved by City Plan and Council.

Jerry D. Boswell
Carl E. O'Neal
Glenn G. Conkling
BOARD OF PUBLIC WORKS

ep

NOTED

☒ J.D.B.

☐ C.E.O.

☒ G.C.

Date

RECEIVED

DEC 26 1974

BOARD OF PUBLIC WORKS

JAN 22 1975

CITY ENGINEERING DEPT.

Signed _____

Reply:

January 22, 1975

Declaratory Resolution, drawing and property list are completed and attached.

The entire alley is to be retained for easements.

Kenneth N. Traylor
Kenneth N. Traylor
Street Engineer

lc
attachs

APPROVED:

Ron Bonar
Ron Bonar, City Engineer

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

B. O. 78-74

December 26, 1974

KEN TRAYLOR - STREET ENGINEER

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Since no specific plans for future transportation corridor have been established, the Vacation is recommended as approved by City Plan and Council.

Jerry D. Boswell

Carl E. O'Neal

Glenn G. Conkling

BOARD OF PUBLIC WORKS

ep

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OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

174 X

B.O. 78-1974

Date May 24, 1974

To Ken Traylor, Street Engineer

Subject Vacation - N-S alley between Brown & 1st alley south of Brown

Copy of Petition to vacate a portion of the North-south alley abutted on the east by Lot #103, Electric Addition, on the west by the Norfolk & Western Railway (Wabash Division), extending south, from the south right of way of Brown Street, to the north right of way of the first east-west alley south of Brown Street.

Said vacation has been approved by City Plan and is being submitted to Council.

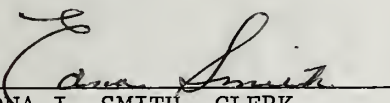
Upon ratification, proceed with preparation of Resolution to be adopted by the Board.

BOARD OF PUBLIC WORKS

RECEIVED

MAY 24 1974

CITY ENGINEERING DEPT.


EDNA I. SMITH, CLERK

EIS:bt

Enclosure

NOTED
☒ J.D.B.
☒ R.L.B.
☐ W.G.W.
Date _____

BOARD OF PUBLIC WORKS
RECEIVED
AUG 30 1974

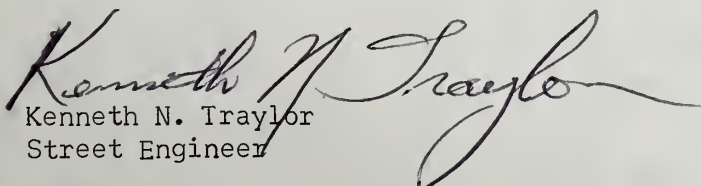
Signed _____

Reply: _____

August 30, 1974

Traffic Engineering Department recommends the alley be retained for possible future transportation corridor. (See attached) Thus the Street Engineering Department recommends the alley not be vacated with three alternatives for the petitioner:

1. Have the alley improved to City Specifications
2. Have Asphalt Surface
3. Have Board of Public Works close the alley. ←


Kenneth N. Traylor
Street Engineer

MV/lc
attachs.

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

RECEIVED

THE NEW YORK PUBLIC LIBRARY

ASTOR LENOX TILDEN FOUNDATION

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JUL 1914

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION

1914

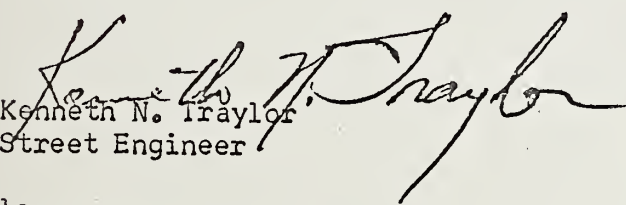
July 15, 1974

Richard Wanush
City Plan Director

Tom Manny
Traffic Engineer

Please submit your opinion and recommendations on the following proposed vacations:

- ① The first alley south of Wallace Street from the east property line of the alley east of Calhoun Street to the west property line of Clinton Street.
(Board Order No. 225-1973)
- ② The north-south alley between Brooklyn Avenue and Westview Avenue from the north property line of Whitmore Street, extending 150 feet north.
(Board Order No. 83-1974)
- + ③ The north-south alley abutted on the east by Lot #103, Electric Addition, on the west by the N. & W. R.R. (Wabash Division) from the south property line of Brown Street to the north property line of the first east-west alley south of Brown Street.
(Board Order No. 78-1974)
- ④ The east-west alley between Dalgren Avenue and Dunnwood Drive from the east property line of North Clinton Street on the west to the west property line of the first alley east of North Clinton Street.


Kenneth N. Traylor
Street Engineer

lc
attachs.

xc: Board of Public Works

RECEIVED

JUL 15 1974

- ① OK TO VACATE
- ② No - VACATION will cause Dead End Alley - Effecting Garbage Pickup etc. ENG.
- ③ RW should be retained for Possible Future Transportation Corridor
- ④ OK TO VACATE

TAManny 12 July 74

PETITION TO VACATE ALLEY

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

00078

THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The Undersigned, the Petitioners, do hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, to vacate the following described alley within the City of Fort Wayne, Allen County, Indiana, to-wit:

That portion of the North-south alley abutted on the east by Lot # 103 Electric Addition, on the west by the Norfolk & Western Railway (Wabash Division), extending south, from the south right-of-way of Brown Street, to the north right-of-way of the first east-west alley south of Brown Street.

Your petitioners represent that:

1. That they are the owners of the real estate abutting on the east side of the alley herein sought to be vacated.
2. That the alley sought to be vacated has never been improved, nor is it a service alley.
3. That said alley is not necessary as ingress or egress to any other property whatsoever.
4. That said alley is used as a thoroughfare and as such is a nuisance to abutting property owners.
5. That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said alley be vacated as prayed.

Your Petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your Petitioners pray that the above described alley be vacated according to the provisions of the Indiana Law pertaining thereto.

Charlie R. Smith
Charlie R. Smith
2315 Brown Street
(Lot # 103 Electric Addition)

Martha L. Smith
Martha Smith
2315 Brown Street
(Lot # 103 Electric Addition)

Memorandum

S-10/11

To Tom Manny, Traffic Engineering Date Sept. 9, 1974
From Ron Bonar
Subject Alley Vacation between Brown and First Alley North of Eby - B.O. 78-74

COPIES TO:

Reference the above alley vacation. We note you recommend right-of-way be retained for possible future transportation corridor. I'm a little confused as to what corridor you are referring to. Please elaborate.

Ron

Ron Bonar

RB/sjw

Charles & Marika Smith
2315 Brown
432-5982

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.). 78-1974

Date October 28, 1974

To Ron Bonar, City Engineer

Subject Vacation - N-S alley between Brown & 1st alley south of Brown

The petitioners, Charlie and Martha Brown were in the office concerning this subject.

The Board prefers to investigate feasibility of closing alley to vehicular traffic.
(See attached recommendation of Ken Traylor)

The Browns said it was suggested we proceed with the Vacation subject to their returning property to City if and when needed. They have checked and found taxes will eventually be assessed on the property; therefore, they would be reluctant to agree to this.

Jerry D. Boswell
Carl E. O'Neal
Glenn G. Conkling
BOARD OF PUBLIC WORKS

Enc:

Signed _____

Reply: _____

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

Memorandum

To Tom Manny, Traffic Engineering Date Sept. 9, 1974
From Ron Bonar
Subject Alley Vacation between Brown and First Alley North of Eby - B.O. 78-74

COPIES TO:

Reference the above alley vacation. We note you recommend right-of-way be retained for possible future transportation corridor. I'm a little confused as to what corridor you are referring to. Please elaborate.

Ron Bonar

RB/sjw

I had no concrete thoughts in mind, but it would appear that the following uses 20-50 years from now could be important.

1. A bicycle trail or pedestrian way -
2. A Rapid Transit Rail or Sott tire serving the Central City and the airport
3. A Transportation corridor replacing or augmenting the Ordmore corridor via the N.W. to the GR: I R/W.

RECEIVED

SEP 10 1974

TRAFFIC ENG.

It simply appears to have viable uses to future generations -

BOARD OF PUBLIC WORKS

SEP 11 1974

Ken -
Tom is
stuck on
this. Can't
P.O. and see
if they will
agree to
that if city
needs for
1, 2 or 3
will give.

R.
9/12
sent

S-10/12

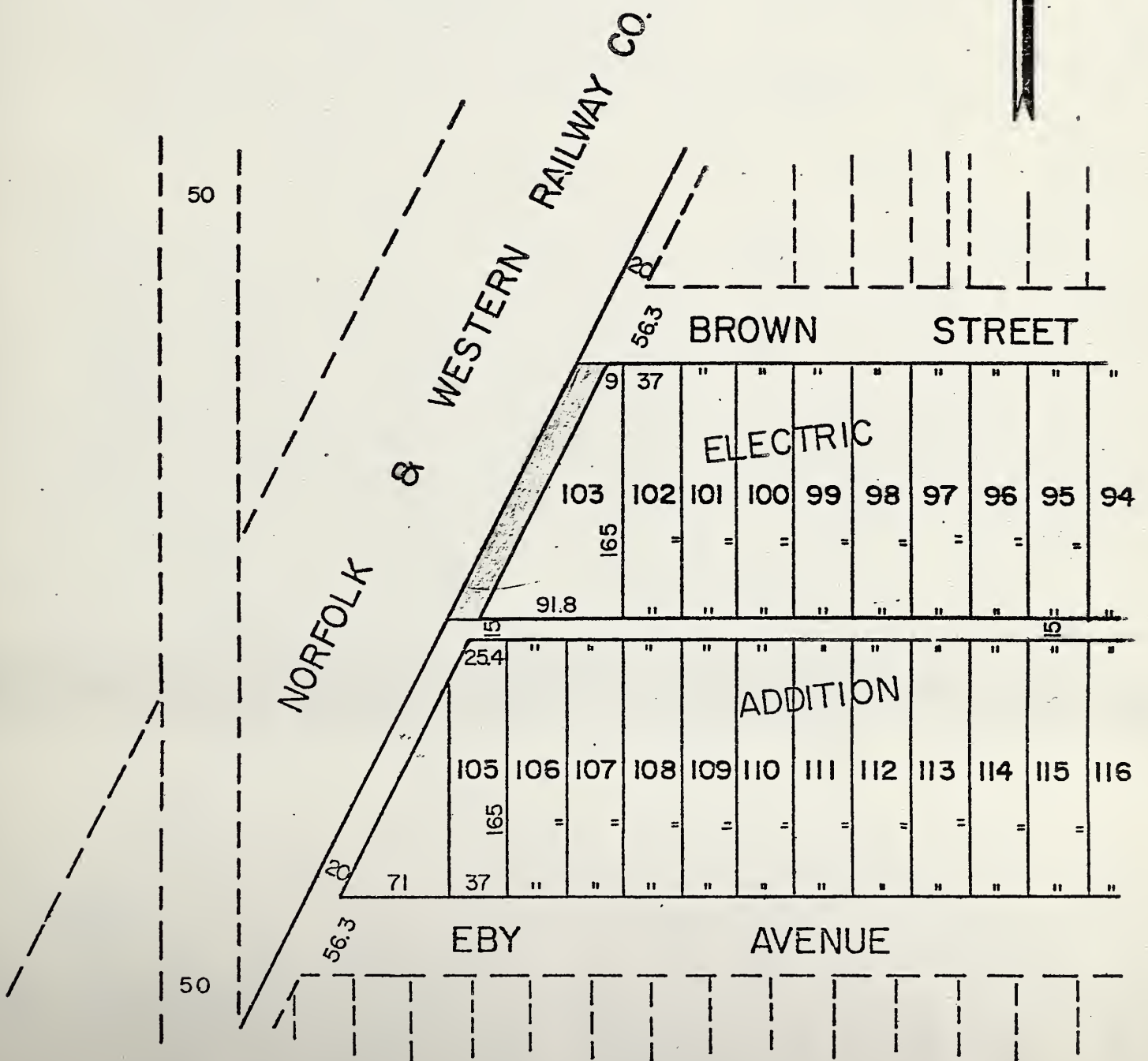
~~S-10/12~~ B/w file
Ken -
any thing
R
10/11
sent

RECEIVED

APR 10 1964

BRITISH MUSE

PORTION OF ALLEY TO BE VACATED





THE CITY OF FORT WAYNE
office of city plan commission

May 22, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

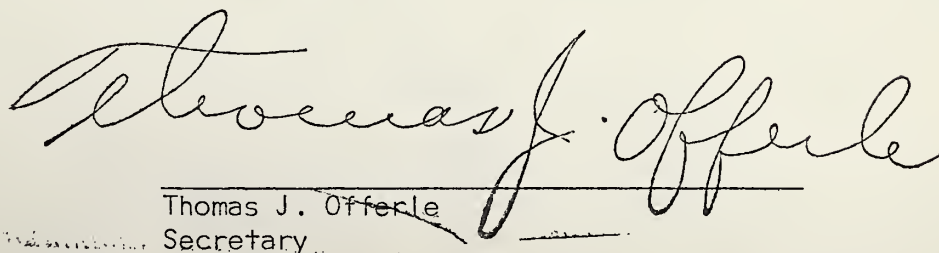
That portion of the North-south alley abutted on the east by Lot # 103 Electric Addition, on the west by the Norfolk & Western Railway (Wabash Division), extending south, from the south right-of-way of Brown Street, to the north right-of-way of the first east-west alley south of Brown Street.

which was approved by the City Plan Commission at its regular meeting held May 20, 1974.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
22nd day of May, 1974.


Thomas J. Offerle
Secretary

Number assigned by Dave Keller's Office: # 3420

REQUEST FOR ACTION

To: City Attorney David B. Keller
or
Associate City Attorney _____ Mr. Ralph Blume / 344 Utility Bldg.,

From: (Name, Title & Department) _____ City Plan Commission / Room # 880

City-County Building / One Main Street / Ft. Wayne, Indiana 46802

Approved by Richard S. Monick
(Person authorized to forward legal work)

Date: May 22, 1974

Subject: Alley Vacation ordinance
(File subject designation)

File # Assigned by Records Librarian

Date: _____

Action Requested: Preparation of an ordinance for alley vacation

(Continue on reverse side, if necessary)

cc: City Attorney David B. Keller
(If request originally sent to an Associate City Attorney)
Mayor Ivan A. Lebamoff
Department Head of Requesting Party

Number assigned by Dave Keller's Office: # 3420

Admn. Appr. _____

TITLE OF ORDINANCE Alley vacation ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of an alley vacation ordinance petition

initiated by property owners to vacate portions of the following described
alley.

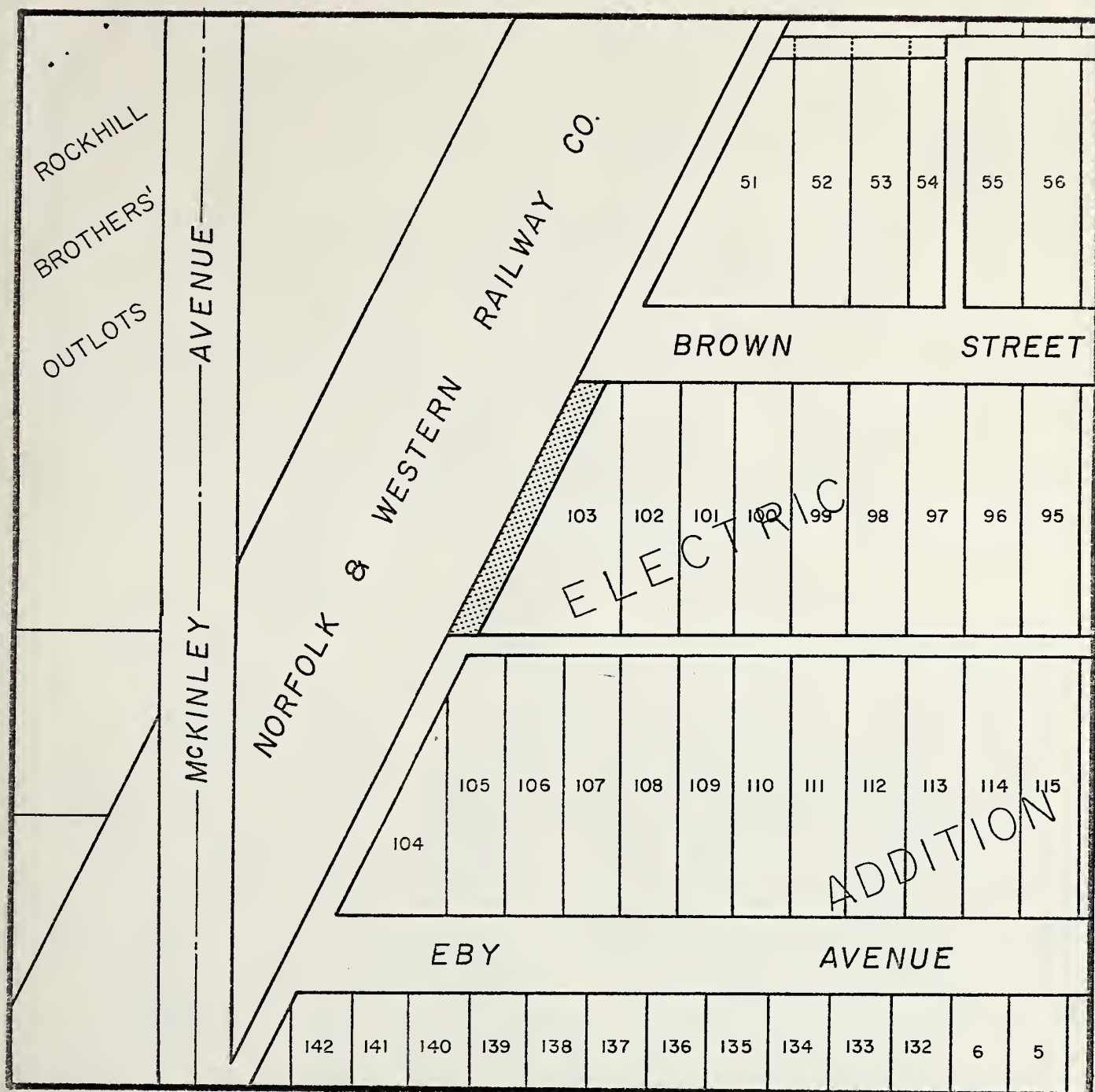
That portion of the North-South alley abutted on the east by Lot # 103
Electric Addition, on the west by the Norfolk & Western Railway (Wabash
Division), extending south, from the south right-of-way of Brown Street,
to the north right-of-way of the first east-west alley south of Brown Street.

EFFECT OF PASSAGE Alley is presently unimproved. If vacated, alley
would be utilized by abutting property owners.

EFFECT OF NON-PASSAGE Alley would remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) _____



BILL NO. G-74-06-09

GENERAL ORDINANCE NO. G-21-74

AN ORDINANCE amending General Ordinance No. G-97
by authorizing the vacation of a certain alley
in the City of Fort Wayne

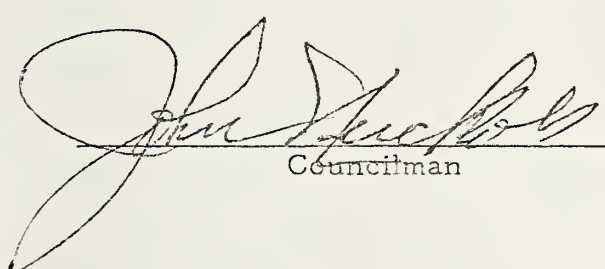
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been
filed with the Fort Wayne City Plan Commission and resolution having been duly
adopted by the Fort Wayne City Plan Commission on May 20, 1974 following a public
hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the
General Assembly of the State of Indiana, as amended by Section 3, Chapter 385,
of Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat.,
1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General
Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on
November 26, 1963, is amended by deleting the following public alley in Fort Wayne,
Allen County, Indiana, to-wit:

That portion of the North-south alley abutted on the east by
Lot # 103 Electric Addition, on the west by the Norfolk & Western
Railway (Wabash Division), extending south, from the south
right-of-way of Brown Street, to the north right-of-way of the
first east-west alley south of Brown Street


SECTION 2. After passage of this Ordinance, approval by the Mayor
and legal publication, a duly certified copy of this Ordinance, of the recommenda-
tion of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall
be transmitted by the City Clerk to the Board of Public Works of the City of Fort
Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and
after its passage, approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM

AND LEGALITY


CITY ATTORNEY

Read the first time in full and on motion by Nichols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 6-11-74

Charles B. Rutenman
CITY CLERK

Read the third time in full and on motion by _____, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<u>X</u>	_____	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____	_____
NICKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 7-9-74

Charles B. Rutenman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning-Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 5-21-74 on the 5th day of July, 1974.

ATTEST: (SEAL)

Charles B. Rutenman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:45 o'clock 7 M., E.S.T.

Charles B. Rutenman
CITY CLERK

Approved and signed by me this 11th day of July, 1974, at the hour of 4:00 o'clock 10 M., E.S.T.

James A. Loeff
MAYOR

City of Fort Wayne



ENGINEERING DEPARTMENT

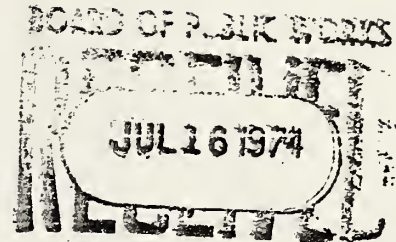
FORT WAYNE, INDIANA

CITY COUNTY BUILDING

Room 740

July 15, 1974

Northern Indiana Public Service Company
Indiana & Michigan Electric Co.
General Telephone Company of Indiana



We have received a petition to vacate the following:

The first alley south of Wallace Street from the east property line of the alley east of Calhoun Street to the west property line of Clinton Street.
(Board Order No. 225-1973)

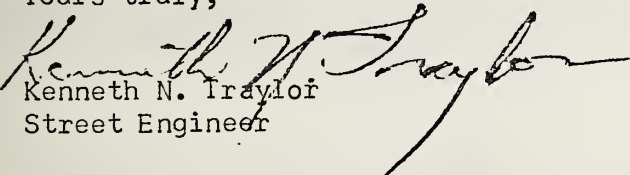
The north-south alley between Brooklyn Avenue and Westview Avenue from the north property line of Whitmore Street, extending 150 feet north.
(Board Order No. 83-1974)

✓ The north-south alley abutted on the east by Lot #103, Electric Addition, on the west by the N. & W. R.R. (Wabash Division) from the south property line of Brown Street to the north property line of the first east-west alley south of Brown Street. (Board Order #78-1974)

The east-west alley between Dalgren Avenue and Dunnwood Drive from the east property line of North Clinton Street on the west to the west property line of the first alley east of North Clinton Street.

Please check your easement requirements on the enclosed post cards and return to us as soon as possible.

Yours truly,


Kenneth N. Traylor
Street Engineer

lc
attachs.

xc: Board of Public Works ✓

July 15, 1974

Richard Wanush
City Plan Director

Tom Manny
Traffic Engineer

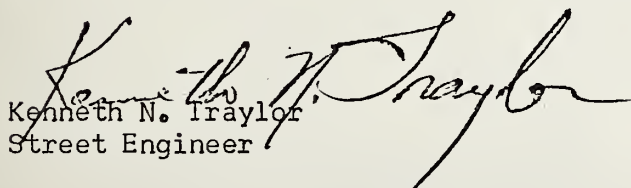
Please submit your opinion and recommendations on the following proposed vacations:

The first alley south of Wallace Street from the east property line of the alley east of Calhoun Street to the west property line of Clinton Street.
(Board Order No. 225-1973)

The north-south alley between Brooklyn Avenue and Westview Avenue from the north property line of Whitmore Street, extending 150 feet north.
(Board Order No. 83-1974)

The north-south alley abutted on the east by Lot #103, Electric Addition, on the west by the N. & W. R.R. (Wabash Division) from the south property line of Brown Street to the north property line of the first east-west alley south of Brown Street.
(Board Order No. 78-1974)

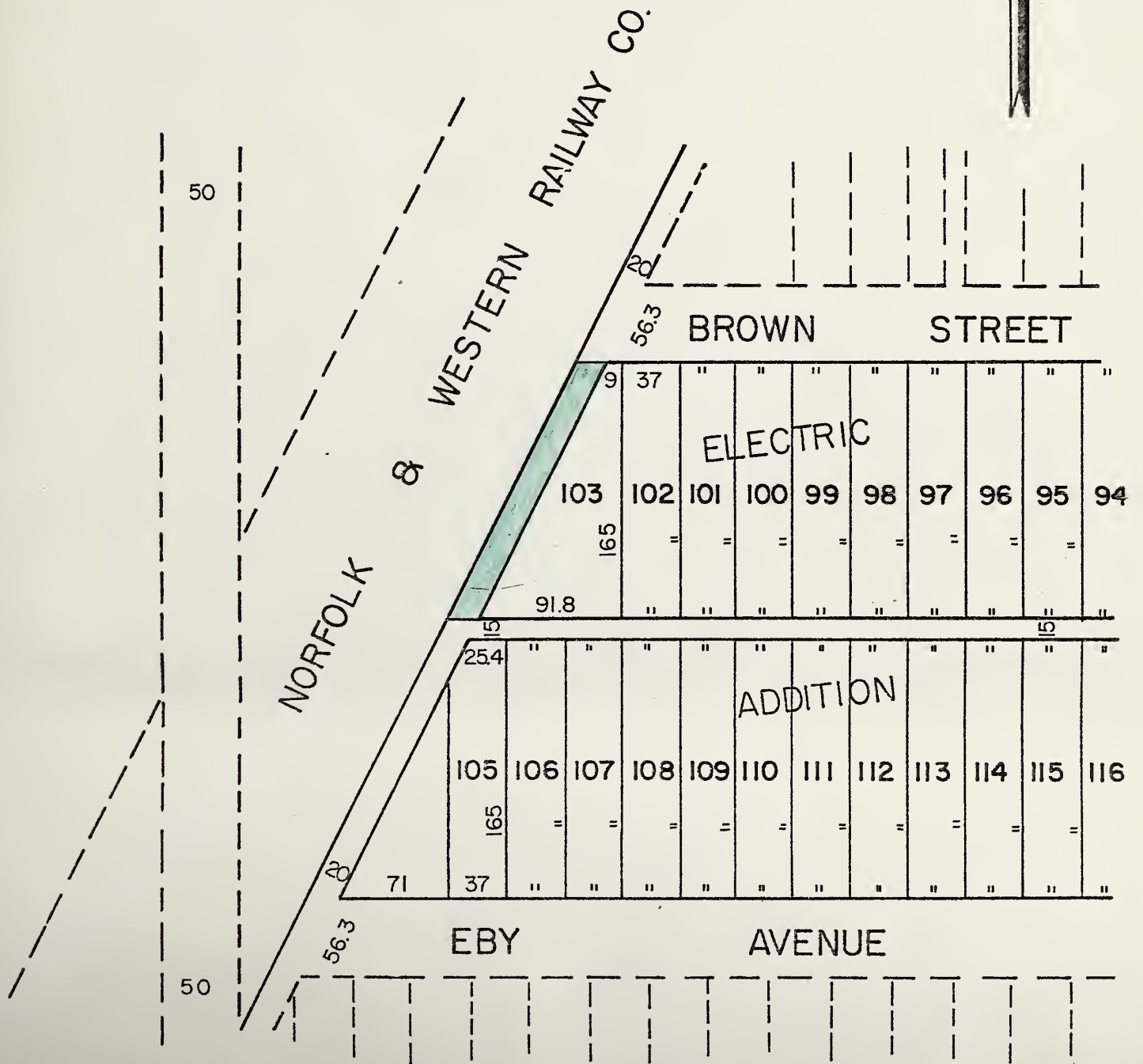
The east-west alley between Dalgren Avenue and Dunnwood Drive from the east property line of North Clinton Street on the west to the west property line of the first alley east of North Clinton Street.


Kenneth N. Traylor
Street Engineer

lc
attachs.

xc: Board of Public Works ✓

PORTION OF ALLEY TO BE VACATED



B.O. 78-1974

May 24, 1974

Ken Traylor, Street Engineer

Vacation - N-S alley between Brown & 1st alley south of Brown

Copy of Petition to vacate a portion of the North-south alley abutted on the east by Lot #103, Electric Addition, on the west by the Norfolk & Western Railway (Wabash Division), extending south, from the south right of way of Brown Street, to the north right of way of the first east-west alley south of Brown Street.

Said vacation has been approved by City Plan and is being submitted to Council.

Upon ratification, proceed with preparation of Resolution to be adopted by the Board.

BOARD OF PUBLIC WORKS

EDNA I. SMITH, CLERK

EIS:bt

Enclosure

May 1, 1914

May 1, 1914

Mr. Taylor, District Attorney

Location of the alley between lots 2 and 3 in Block 1 of Brown

City of Seattle to locate a portion of the North-west alley situated on the
east by lot 103, located Addition on the west by the North-west alley
between (North-west Addition), extending south from the south right of way of
lot 103 to the north right of way of the first east-west alley south of
Brown Street.

Said location has been approved by City Plan and is being submitted to Council.

Upon ratification, proposed with presentation of resolution to be adopted by the
Board.

BOARD OF PUBLIC WORKS

EDWIN L. SMITH, CLERK

Witness

Notary

PETITION TO VACATE ALLEY

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

00078

THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The Undersigned, the Petitioners, do hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, to vacate the following described alley within the City of Fort Wayne, Allen County, Indiana, to-wit:

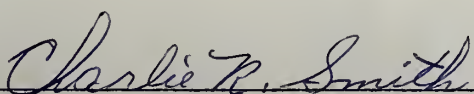
That portion of the North-south alley abutted on the east by Lot # 103 Electric Addition, on the west by the Norfolk & Western Railway (Wabash Division), extending south, from the south right-of-way of Brown Street, to the north right-of-way of the first east-west alley south of Brown Street.

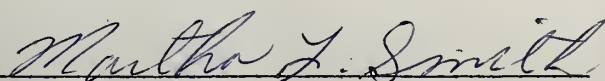
Your petitioners represent that:

1. That they are the owners of the real estate abutting on the east side of the alley herein sought to be vacated.
2. That the alley sought to be vacated has never been improved, nor is it a service alley.
3. That said alley is not necessary as ingress or egress to any other property whatsoever.
4. That said alley is used as a thoroughfare and as such is a nuisance to abutting property owners.
5. That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said alley be vacated as prayed.

Your Petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your Petitioners pray that the above described alley be vacated according to the provisions of the Indiana Law pertaining thereto.


Charlie R. Smith
2315 Brown Street
(Lot # 103 Electric Addition)


Martha Smith
2315 Brown Street
(Lot # 103 Electric Addition)

R E S O L U T I O N

WHEREAS, CHARLIE R. and MARTHA SMITH, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley, located in the City of Fort Wayne, Allen County, Indiana, to-wit:

That portion of the North-south alley abutted on the east by Lot # 103 Electric Addition, on the west by the Norfolk & Western Railway (Wabash Division), extending south, from the south right-of-way of Brown Street, to the north right-of-way of the first east-west alley south of Brown Street.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, 1964 Replacement, Section 53-744); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on May 20, 1974, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley.

NOW THEREFORE, BE IT RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana; and,

BE IT FURTHER RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved; and,

BE IT FURTHER RESOLVED, that the action of the Fort Wayne City Plan Commission be forwarded to the Common Council of the City of Fort Wayne for its action thereon.



STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, James Kelley, President of
the Fort Wayne City Plan Commission, do hereby certify that the attached
hereto is a full, true and correct copy of a resolution adopted by the
Fort Wayne City Plan Commission following a Public Hearing of said
Commission held on the 20th day of May, 1974,
and as the same appears on record in the official records of the Plan
Commission.

Dated this 20th day of May, 1974.

James Kelley
President
Fort Wayne City Plan Commission



BOARD OF PUBLIC WORKS

MAY 23 1974

COPIES TO:

NOTED

☐ J.D.B.

☐ R.L.B.

☐ W.G.W

Date _____

Memorandum

May 22, 1974

To _____ Edna Smith / Board of Works

Date ~~5/22~~

From _____ Patsie / City Plan

Subject _____ Vacation

Attached:

Petition to vacate alley

Resolution from City Plan - approval - May 20, 1974

Notice of Public Hearing

Map

Digest Sheet

Request for Action

Letter to City Council

Patsie

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, May 20, 1974, at 7:30 P.M. (EST), in Room # 128, City-County Building, One Main Street, Fort Wayne, Indiana, on the vacation of the following described public alley situated in Allen County, Indiana, to-wit:

That portion of the North-south alley abutted on the east by Lot # 103 Electric Addition, on the west by the Norfolk & Western Railway (Wabash Division), extending south, from the south right-of-way of Brown Street, to the north right-of-way of the first east-west alley south of Brown Street.

Interested persons are invited to attend said hearing and be heard.

Following such hearing, said Fort Wayne City Plan Commission will forward its recommendation to the governing body having jurisdiction over streets and alleys in said area.

FORT WAYNE CITY PLAN COMMISSION

Thomas J. Offerle
Secretary



THE CITY OF FORT WAYNE

board of public works

February 10, 1975

SUBJECT: HEARING

Dear Councilman Kraus:

Please be advised that the Board has scheduled a public hearing Thursday, February 20, 1975 at 3:30 p.m. concerning the following projects:

HEARING ON CONFIRMATION

Dec. Res. 1378-1975 Vacation of Shoreworth Trail

HEARING ON CONFIRMATION

✓ Dec. Res. 1380-1975 Vacation of Alley west of Norfolk and
Western R. R. from spl of Brown St.
to npl of first east-west s. of Brown St.

HEARING ON CONFIRMATION OF ASSESSMENT ROLL

St. Imp. Res. No. 5666-74 Paul Street

You are invited to attend this public hearing and hear the comments of your constituents regarding the projects. If you have any questions on the projects, please feel free to call.

Sincerely,

Jerry D. Boswell

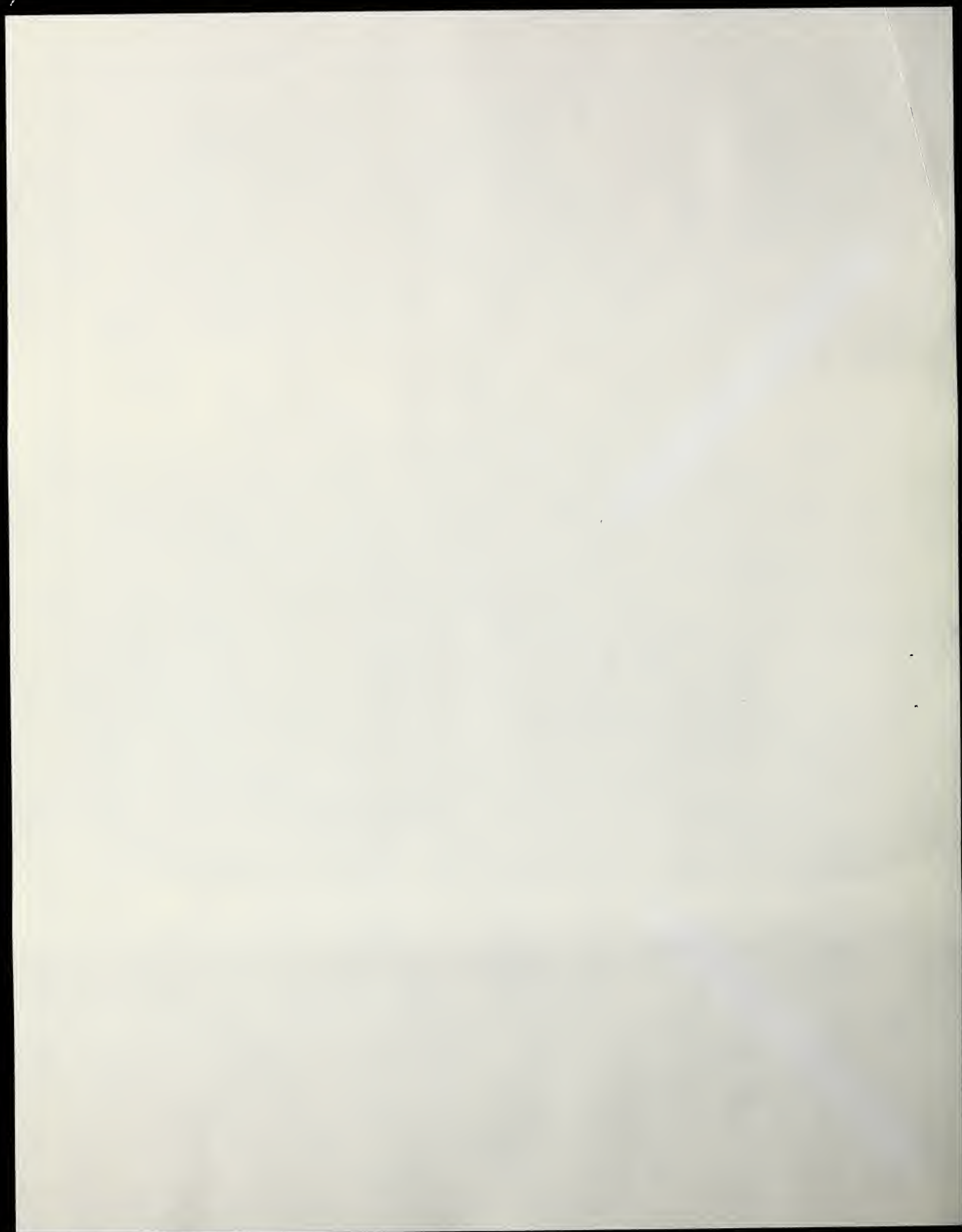
Carl E. O'Neal

Glenn G. Conkling

BOARD OF PUBLIC WORKS

ep

cc: Mayor



BOARD OF PUBLIC WORKS
CITY COUNTY BLDG.
FORT WAYNE, INDIANA 46802



Fort Wayne-----
A Quality City
In A Quantity World



Dec. Res. 1380-15

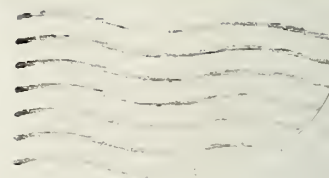
Lot 106 Elect add

RETURN TO WRITER
NOT DELIVERABLE AS ADDRESSED
NO FORWARDING ORDER ON FILE

483-3256

*1511 Lyncamore Dr.
remailed to ↑*

Fred & Edith Cornett
2318 Eby Ave.
Fort Wayne, Indiana 46804



Fort Wayne Board of Public Works
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1

61

6

68

COMPUTATION OF CHARGES

68 lines, 1 columns wide equals 68 equivalent lines at 288¢ cents per line

\$ 19.58

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 19.58

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 23rd day of January, 1975, the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION
NO. 1377-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Vermont Avenue from the east property line of Inwood Drive to the east line of Delta Heights Addition. NOTE: The entire street shall revert back to Lots 167 and 168, Delta Heights Addition because it was originally appropriated from this addition.

DECLARATORY RESOLUTION
NO. 1378-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Shoreworth Trail from the west property line of Penmoken Drive to the east property line of Boer Field Expressway.

DECLARATORY RESOLUTION
NO. 1379-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Rathert Lane from the east property line of Dusing Avenue to its eastern terminus. NOTE: The entire street shall revert back to Lot No. 6, Fernhill Place Amended Addition because it was originally appropriated from this addition.

DECLARATORY RESOLUTION
NO. 1380-1975

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley abutting on the east by Lot No. 103, Electric Addition the west by the Norfolk and Western Railroad from the south property line of Brown Street to the north property line of the first east-west alley south of Brown Street.

All as shown by a plan of such proposed vacations as above described, now on file in the office of the Department of Public Works of the City of Fort Wayne, Indiana. The cost of said vacations shall be assessed against the property beneficially affected hereby.

The Board of Public Works has fixed Thursday, February 20, 1975, as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 2:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

JERRY D. BOSWELL,

CARLE O'NEAL,

GLENN G. CONKLING,

BOARD OF PUBLIC WORKS

ATTEST: EDNA I. SMITH,

Clerk

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just if the same has been paid.

Arvilla DeWald

19 75

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK

JOURNAL-GAZETTE
DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

1/31 & 2/7/75

Subscribed and sworn to before me this 7th day of February 1975

Notary Public

My commission expires October 25, 1975



Fort Wayne Board of Public Works
(Governmental Unit)To NEWS-SENTINEL Dr.Allen County, Ind.FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	<u>1</u>
Head number of lines	<u>61</u>
Body number of lines	<u>6</u>
Tail number of lines	<u>68</u>
Total number of lines in notice	<u>68</u>

COMPUTATION OF CHARGES

68 lines, 1 columns wide equals 68 equivalent lines at .288¢ cents per line \$ 19.58

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM \$ 19.58

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

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JERRY D. BOSWELL,
CLERKCAPT. E. O'NEAL,
BOARD OF PUBLIC WORKSATTEST: EDNA I. SMITH,
CLERK

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

V. E. Gerken19 75Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, saysthat She is Clerk of theNEWS-SENTINELa DAILY newspaper of general circulation printed and published in the English language in the city } of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for twotime, 5 the dates of publication being as follows:1/31 & 2/7/75Subscribed and sworn to before me this 7th day of February, 1975V. E. Gerken

Notary Public

My commission expires October 25, 1975

Improvement Resolution No 1380-75 For THE VACATION OF THE ALLEY ADJUTED ON THE EAST BY LOT #103 ELECTRIC ADDITION

ON THE WEST BY THE NORFOLK AND WESTERN RAILROAD FROM THE SOUTH PROPERTY LINE OF BROWN STREET TO THE NORTH PROPERTY LINE OF THE FIRST EAST-WEST ALLEY SOUTH OF BROWN STREET.

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	SMITH, CHARLIE R. & MARTHA L	2309 BROWN ST	04	LOT #103		ELECTRIC ADDITION
2	NORFOLK AND WESTERN RAILWAY CO.	NELSON ROAD	04			RAILROAD R/W SW 1/4 2-3-1-12
3	GRINDLEY, LEO & VON DELL	2309 BROWN ST		LOT #102		ELECTRIC ADDITION
4	CROFT, SAMUEL J & VIRGINIA A	2305 BROWN ST		LOT #101		" "
5	BONIFAS, CHAS. D. JR. & JANELLE	2301 BROWN ST		LOT #100		" "
6	WARD, HENRY LEE & HAZEL	2326 EBY AVE	04	LOT #104		" "
7	GARVISON, LUCILLE	2322 EBY AVE		LOT #105		" "
8	CORNETT, FRED & EDITH	2318 EBY AVE		LOT #106		" "
9	BEEMER, JERRY L & CLARA M	2314 EBY AVE		LOT #107		" "
10	HARDING, PAUL E. JR & ANNA LOUISE	2310 EBY AVE		LOT #108		" "
11	BIDLACK, ROSEMARY	2306 EBY AVE		LOT #109		" "
12	WILDER, DONNA M	2302 EBY AVE		LOT #110		" "
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64	1-31-75					
65	By ep					
		TOTAL				

1-31-75
ep

1380-75